

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN PARKER, III,
Plaintiff,

v.

JEFF LYNCH, et al.,
Defendants.

No. 2:23-cv-00754 DC CSK P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. For the following reasons, plaintiff's motion to obtain the attendance of an incarcerated witness at trial (ECF No. 47), filed by plaintiff's former counsel, is vacated without prejudice.

On October 28, 2024, the Honorable William B. Shubb appointed counsel to represent plaintiff. (ECF No. 37.) The jury trial was set to commence before Judge Shubb on October 28, 2025. (ECF No. 38.) On July 14, 2025, plaintiff's counsel filed the pending motion to obtain the attendance of an incarcerated witness at trial. (ECF No. 47.) On July 14, 2025 plaintiff's counsel also filed a motion to withdraw. (ECF No. 48.) On July 16, 2025, Judge Shubb granted counsel's motion to withdraw and ordered this action reassigned to another District Court judge for all further proceedings. (ECF No. 51.) This action was reassigned to the Honorable Dena M. Coggins. The trial has not yet been reset.

1 This Court orders the motion to obtain the attendance of an incarcerated witness at trial
2 vacated because plaintiff is now proceeding without counsel and the trial has not yet been reset
3 before Judge Coggins. Plaintiff may renew the motion to obtain the attendance of an incarcerated
4 witness at trial after the trial is reset before Judge Coggins.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to obtain the attendance
6 of an incarcerated witness at trial (ECF No. 47) is vacated without prejudice.

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8 Dated: July 21, 2025

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11 UNITED STATES MAGISTRATE JUDGE
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